

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

LISA BRITTIAN,
Plaintiff,

v.

JESSE COLE KENT,
Defendant.

}
}
}
}
}
}
}

CIVIL ACTION NUMBER:

1:24-CV-5078

NOTICE OF INSUFFICIENT SERVICE OF PROCESS;
NOTICE OF FAILURE TO OBTAIN LEGAL, AUTHORIZED SUMMONS;
NOTICE OF FAILURE TO OBTAIN ORDER AUTHORIZING SERVICE
BY PRIVATE PROCESS SERVER

COMES NOW Defendant, Jesse C. Kent, who hereby notifies the Court as follows:

This Defendant freely waived service of the summons and acknowledged service of this matter on or about November 7, 2024, and copies were provided to the Plaintiff both by undersigned counsel and by this Court. Yet on November 20, 2024 a person holding themselves out as a “process server” appeared at Defendant’s home to purportedly serve paperwork in this suit. That person did not provide a name or any identification and was clearly not a Marshall or Sheriff’s Officer.

The purported “process server” did, however, provide a full copy of the pleading in this matter – which is the same lawsuit and paperwork that Defendant already acknowledged service *of* and waived summons *in* nearly two weeks prior on or about November 7, 2024.

Furthermore, there record is devoid of any Order authorizing the use of a private process server to effectuate service as required by FRCP 4, and this Plaintiff still has failed to obtain a proper Summons from this Court, as is likewise required by FRCP 4. Thus, the November 20, 2024 attempt at service has no legal effect and is void.

Because this Defendant already acknowledged service and waived summons, *because* Plaintiff already mailed a copy of her lawsuit to Defendant even after summons was waived, *because* Plaintiff failed to obtain an order appointing a private process server, *because* the Summons supplied is invalid and this Plaintiff still has not attempted to obtain a valid Summons, and *because* of this Plaintiff's failures to follow the appropriate rule of law, it is clear that Plaintiff has undertaken this conduct solely to intimidate and harass this Defendant. In light of such, Defendant anticipates that Defendant will promptly file for an injunction against this Plaintiff and this notice is provided to make the court aware of the Plaintiff's conduct.

Respectfully submitted, this 20th day of November, 2024.

This 20th day of NOVEMBER , 2024.

/s/ Jesse C. Kent

Jesse C. Kent
Attorney At Law
Georgia Bar No: 940338
5456 Peachtree Blvd., #277
Atlanta, GA 30341
Direct: 678-453-8554
Office: 678-928-9376
Facsimile: 678-928-9075
Email: jkent@thekentlawgroup.com

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(D), undersigned counsel certifies that this document has been prepared in Times New Roman, 14-point font, which is one of the four font and point selections approved by the Court in Local Rule 5.1(C).

This 20th day of NOVEMBER, 2024.

/s/ Jesse C. Kent

Jesse C. Kent
Attorney At Law
Georgia Bar No: 940338
5456 Peachtree Blvd., #277
Atlanta, GA 30341
Direct: 678-453-8554
Office: 678-928-9376
Facsimile: 678-928-9075
Email: jkent@thekentlawgroup.com

CERTIFICATE OF SERVICE

This is to certify that I have this day electronically filed the foregoing NOTICE OF IMPROPER SERVICE and that such filing complies with Local Rule 5.1(A)(3) by using the CM/ECF system, which will send notification of such filing to all parties and/or counsel; I have also mailed a copy of the same to: **LISA BRITTIAN, PO BOX 90021, ATLANTA, GA 30364.**

This 20th day of NOVEMBER , 2024.

/s/ Jesse C. Kent

Jesse C. Kent
Attorney At Law
Georgia Bar No: 940338
5456 Peachtree Blvd., #277
Atlanta, GA 30341
Direct: 678-453-8554
Office: 678-928-9376
Facsimile: 678-928-9075
Email: jkent@thekentlawgroup.com